

## Message Text

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42

ORIGIN ARA-10

INFO OCT-01 ISO-00 SY-05 L-03 JUSE-00 /019 R

DRAFTED BY ARA/BC/B:MWCOTTER:EO

APPROVED BY ARA/BC:JEKARKASHIAN

L/ARA:MKOZAK (PHONE)

A/SY/I:JHMORTON (PHONE)

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P 151555Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ PRIORITY

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E.O. 11652: N/A

TAGS: PFOR, BL

SUBJECT: DETENTION OF JOSE FRANCIS MAZZI TAPIA

REF: LA PAZ 4702; LA PAZ 4807

1. MAZZI BEING HELD IN BOSTON ON CHARGES OF INVOLUNTARY MANSLAUGHTER AND FAILURE TO HAVE CONTROL OF HIS MOTOR VEHICLE. CHARGES STEM FROM JULY 5 ACCIDENT IN WHICH TWO PEOPLE WERE KILLED. PRELIMINARY HEARING IN BOSTON DISTRICT COURT WAS ORIGINALLY SCHEDULED FOR JULY 10 BUT HAS BEEN POSTPONED UNTIL JULY 18. IF CONVICTED, MAZZI LIKELY TO SPEND TWO YEARS IN PRISON.

2. DEPARTMENT INFORMED BOLIVIAN EMBASSY OF MAZZI'S DETENTION UPON RECEIPT OF LA PAZ 4702. FYI: EMBASSY DID NOT RECEIVE INSTRUCTIONS FROM FONMIN UNTIL MORNING JULY 14. END FYI. WE UNDERSTAND EMBASSY HAS INSTRUCTED BOLIVIAN CONSUL IN BOSTON TO CONTACT MAZZI AND OFFER ASSISTANCE. WE ALSO UNDERSTAND EMBASSY DISCUSSED SUBJECT OF HIRING A PRIVATE ATTORNEY WITH EMBASSY LAWYER AND CONSUL IN BOSTON, AND PLANS TO CABLE FONMIN SOONEST ADVISING THAT MAJ. MAZZI

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AUTHORIZE CONSUL TO HIRE A LAWYER TO REPRESENT HIS SON.

3. DEPARTMENT CONTACTED BOSTON BAR ASSOCIATION WHICH, AS IS USUAL PRACTICE, WILL ONLY MAKE AVAILABLE A LIST OF ATTORNEYS PRACTICING CRIMINAL LAW AND WILL NOT RECOMMEND INDIVIDUAL LAWYERS. COST IS DIFFICULT TO GAUGE AS LAWYERS GENERALLY CHARGE BY THE HOUR. HOURLY FEES VARY GREATLY, AS WOULD ESTIMATES OF AMOUNT OF TIME THIS CASE LIKELY TO CONSUME. MAJ. MAZZI WOULD BE BEST ADVISED TO LEAVE CHOICE OF LAWYER IN HANDS OF BOLIVIAN CONSUL ON THE SPOT. INGERSOLL

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 JUL 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE165878  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MWCOTTER:EO  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750244-0264  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1975/newtext/t19750754/aaaabwpe.tel  
**Line Count:** 70  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ARA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 LA PAZ 4702, 75 LA PAZ 4807  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 03 SEP 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <03 SEP 2003 by CunninFX>; APPROVED <04 DEC 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** DETENTION OF JOSE FRANCIS MAZZI TAPIA  
**TAGS:** CASC, CGEN, BL, (MAZZI, JOSE FRANCIS)  
**To:** LA PAZ  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006